



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

VIRGINIA J. NIMICK
phone: (212) 356-2663
fax: (212) 356-3509
email: vnimick@law.nyc.gov

September 30, 2013

BY ECF

Honorable Kiyo A. Matsumoto
United States District Court
Easter District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Thomas Raffaele v. City of New York, et al.
13 CV 4607 (KAM) (VVP)

Charles Menninger v. City of New York, et al.
13 CV 4987 (BMC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to defend the above-referenced matters. I write pursuant to Your Honor's September 30, 2013 Order concerning defendants' request to have these matters consolidated. I apologize that my initial request was not as clear as it might have been. Defendants are requesting that these matters be consolidated for discovery as well as dispositive motion practice and trial. Consolidation will only make discovery more efficient and defendants do not believe that any party will be prejudiced by the same.

Thank you for your consideration of this request.

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street, Room 3|216
New York, New York 10007
Tel: (212) 356-2663
Fax: (212) 356-3509

/s/

By: _____
Virginia Jackson Nimick
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Barak P. Cardenas, Esq. (by ECF)
Attorney for Thomas Raffaele

Kevin P. O'Donnell, Esq. (by e-mail)
Attorney for Charles Menninger

Honorable Viktor V. Pohorelsky (by ECF)
United States Magistrate Judge